

109TH CONGRESS  
2D SESSION

# H. R. 5468

To require that bioterrorism-related grants provided by the Secretary of Health and Human Services to States and political subdivisions of States be distributed on the basis of a risk-based formula.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2006

Mr. FOSSELLA (for himself, Mr. FERGUSON, Mr. ENGEL, Mr. SWEENEY, Mrs. BONO, Mr. SESSIONS, and Mrs. LOWEY) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To require that bioterrorism-related grants provided by the Secretary of Health and Human Services to States and political subdivisions of States be distributed on the basis of a risk-based formula.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Responsible Bioter-  
5       rorism Funding Act of 2006”.

1 **SEC. 2. DEPARTMENT OF HEALTH AND HUMAN SERVICES;**  
2 **USE OF RISK-BASED FORMULA FOR DIS-**  
3 **TRIBUTION OF GRANTS FOR BIOTERRORISM**  
4 **PREPAREDNESS.**

5 (a) USE OF FORMULA.—

6 (1) IN GENERAL.—With respect to each pro-  
7 gram of grants that is administered by the Secretary  
8 of Health and Human Services and whose purpose  
9 (or one of whose principal purposes) is providing  
10 funds to States or political subdivisions of States to  
11 prepare for or respond to bioterrorism, all grants  
12 made under the program for fiscal year 2007 or any  
13 subsequent fiscal year shall, notwithstanding the  
14 provisions of the program, be distributed in accord-  
15 ance with the formula under subsection (b), as in ef-  
16 fect for the fiscal year involved.

17 (2) CERTAIN PROGRAMS.—The programs to  
18 which the requirement of paragraph (1) applies in-  
19 clude the programs under sections 319C–1 and  
20 319C–2 of the Public Health Service Act.

21 (b) DEVELOPMENT OF FORMULA BY SECRETARY OF  
22 HOMELAND SECURITY.—

23 (1) IN GENERAL.—For purposes of subsection  
24 (a), the Secretary of Homeland Security, in con-  
25 sultation with the Secretary of Health and Human  
26 Services, shall develop a formula for the distribution

1 of grants based on a quantitative assessment of risk  
2 based on the following three categories:

3 (A) Threat.

4 (B) Vulnerability.

5 (C) Consequences

6 (2) REVISIONS.—The initial formula under  
7 paragraph (1) shall be established and provided to  
8 the Secretary of Health and Human Services not  
9 later than March 31, 2006. The Secretary of Home-  
10 land Security, in consultation with the Secretary of  
11 Health and Human Services, shall periodically re-  
12 view the formula and make such revisions as the  
13 Secretary determines to be appropriate to accurately  
14 distribute funds based on risk. A revision is not ef-  
15 fective for a fiscal year unless it is approved by both  
16 the Secretary of Homeland Security and the Sec-  
17 retary of Health and Human Services on or before  
18 July 1 of the preceding year.

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